

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MATTHEW C. ZORN,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE, ET
AL.

Defendants.

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Civil Action No. 4:22-cv-02396

**UNOPPOSED MOTION FOR LEAVE TO FILE THIRD AMENDED
COMPLAINT AND ARGUMENT REQUEST**

Plaintiff Matthew C. Zorn respectfully moves for leave to file a Third Amended Complaint attached as Exhibit A. Defendants do not oppose this amendment.

Consistent with the Rule 41 notice, Dkt. 44, the proposed Third Amended Complaint drops the Seventh and Ninth Causes of Action. It also removes certain Plaintiffs and makes other conforming/non-substantive edits.

Briefing on outstanding motions (Dkt. Nos. 28, 31, 42) is now complete, and each is ripe for argument/decision. The parties agree the current briefing on Defendants' partial motion to dismiss (Dkt. 42) should apply in full to the Third Amended Complaint and will discuss a joint stipulation to that end after the filing of the Third Amended Complaint.

Plaintiff respectfully requests leave to file his Third Amended Complaint.

Plaintiff also respectfully requests oral argument on the pending motions if it would assist the Court. Defendants do not oppose the argument request.¹

¹ Mr. Zorn is currently unavailable from 6/19 to 6/23.

Dated: June 13, 2023

Respectfully submitted,

/s/ Matthew C. Zorn

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

I certify that I conferred with counsel for Defendants on the filing of this Motion, and Defendants' counsel stated that they do not oppose this Motion.

/s/ Matthew C. Zorn

Matthew C. Zorn

CERTIFICATE OF SERVICE

I hereby certify that on June 13, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Matthew C. Zorn

Matthew C. Zorn

WORDS

I certify that this filing has 167 words, excluding the case caption, table of contents, table of authorities, signature block, and certificates.

/s/ Matthew C. Zorn

Matthew C. Zorn